

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

JAMEL BLANTON, §
§
Plaintiff, §
v. §
§
RICHMOND ENTERPRISES, INC., a/k/§
a PIZZA HUT OF SAN ANTONIO,§ CIVIL ACTION NO. 5:12-cv-01103
INC., d/b/a PIZZA HUT OF SAN§
ANTONIO NUMBER 6, INC., §
§
Defendant. §

PROPOSED VOIR DIRE QUESTIONS

Pursuant to the Court's requirements, Plaintiff Jamel Blanton ("Plaintiff") hereby files the following Proposed Voir Dire Questions. Plaintiff's counsel would prefer to ask these questions himself during the jury selection process, but if the Court does not allow such suggestions, Plaintiffs request that the following questions be asked:

- 1) Do you know any of the lawyers, parties, witnesses, or other persons interested in this litigation? (Plaintiff's counsel lives in Cedar Hill and his children are very active in sports. Thus, we would like some specific questions related to that, which will be discussed in more detail prior to the questioning).
- 2) Any interactions with Richmond Enterprises, Newton Associates or Pizza Hut Number 6 in San Antonio?
- 3) Is anyone a supervisor? Get details on job and number of people they supervise. Ask whether they have had to deal with any employee complaints? Get details.
- 4) Has anyone ever accused you, a family member, or a close friend of sexual harassment, race discrimination or retaliation in the workplace? If so, what happened?

- 5) Have you ever been involved in handling a sexual harassment, race discrimination or retaliation investigation? If so, what happened?
- 6) Has anyone her felt that they had been treated wrongly in the workplace by a supervisor or manager, (be it sexual harassment or retaliation or just improper treatment), and you did not report it because you were afraid for your job? (If so, get detail, and ask whether they would have any bias against Plaintiff if he or she did report).
- 7) Has anyone seen or been made aware of someone else you worked with being the victim of retaliation for making a report of sexual harassment, race discrimination or other wrongful activity in the work place? (If so, get detail, including what they did about it, and whether it was reported. If reported, ask outcome. If not reported, ask why and whether they would have any bias against Plaintiff if he or she did report).
- 8) Has anyone seen or been made aware of someone else you worked with being the victim of sexual harassment, race discrimination or retaliation in the work place? (If so, get detail, including what they did about it, and whether it was reported. If reported, ask outcome. If not reported, ask why and whether they would have any bias against Plaintiff if he or she did report).
- 9) With regard to work, have you or a member of your family ever been fired, disciplined or demoted an employee?
- 10) With regard to work, have you or a member of your family ever been fired, disciplined or demoted?
- 11) Have you had any experience as a litigant?
 - i. Do you feel as though you were treated fairly by the system?
 - ii. Do you feel as though the result was just or unjust?
- 12) Attitude concerning litigation in general.
 - i. Do you have strong feelings about civil rights litigation, (that is whether it should be allowed or curtailed)?
 - ii. Do you have any strong feels against litigation against employers, (that is whether it should be allowed or curtailed)?

(If someone voices opinion ask if others agree)
- 13) Do you think that most lawsuits that are brought are without merit, or do you believe only a small fraction of meritless cases are brought? Poll each juror on this. (Get details from those that believe there is abuse as to why.)

- 14) Plaintiff will be requesting that the jury award significant damages in this case. Does you have any problems with awarding significant damages for:
 - i. mental anguish
 - ii. emotional distress
 - iii. loss of employment reputation
 - iv. loss of earning capacity
- 15) Would you place a higher burden of proof on Plaintiff, (beyond preponderance of the evidence), to award certain damages?
- 16) Do you have any bias (which is defined as a strongly or firmly held belief or opinion) that will affect the fairness or impartiality of this trial? As a result, are you inclined to vote one way or another even before hearing the evidence?
- 17) Does anyone work in the restaurant industry? If so, what positions have you held?

We also request that the jury questionnaire attached as "Exhibit A" be used prior to voir dire, and that we be allowed to have specific follow-up questioning.

Respectfully submitted by:

/s/ Robert (Bobby) Lee

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of November 2013, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Western District of Texas, using the electronic case files system of the court. The electronic case files system sent a “Notice of Electronic Filing” to the following individual who has been consented in writing to accept this notice as service:

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